

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

CARL ELMON HUNT	§	
v.	§	CIVIL ACTION NO. 6:18cv414
JON DOE, ET AL.	§	

PARTIAL ORDER OF DISMISSAL

The above-styled and numbered civil action was heretofore referred to United States Magistrate Judge K. Nicole Mitchell. The Report and Recommendations of the Magistrate Judge, which contain proposed findings of fact and recommendations for the disposition of the motions to dismiss filed by the Defendants Troy Hornsby, H.H. Massey, Becky Wilbanks, and Judge Jack Carter, as well as the Plaintiff's motion for summary judgment. No objections to these Reports have been filed. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the court. It is accordingly


ORDERED that the Plaintiff's claims against Judge Carter, Randall Lee, Jennifer Bray, and Genny Day are **DISMISSED WITHOUT PREJUDICE** until such time as Plaintiff can show his criminal convictions have been overturned, expunged, or otherwise set aside. These Defendants are dismissed as parties to the lawsuit. It is further

ORDERED that the Plaintiff's claims against the Defendants H.H. Massey, Troy Hornsby, Becky Wilbanks, Robert Johnson, William Page, and John Span are **DISMISSED WITHOUT PREJUDICE**. These defendants are **DISMISSED** as parties to the lawsuit. It is further

ORDERED that the motions to dismiss filed by the Defendants Troy Hornsby (docket no. 's 45, 46, 47, and 48), H.H. Massey and Becky Wilbanks (docket no. 42) and Judge Carter (docket no. 44) are **DENIED AS MOOT**. Finally, it is

ORDERED that the Plaintiff Carl Hunt's motion for summary judgment (docket no. 53) is **DENIED**. The dismissal of these claims and parties shall have no effect upon the remaining claims in the lawsuit.

SIGNED this the **4** day of **March, 2020**.



Thad Heartfield
United States District Judge